

# Notice of Allowability

Application No.

10/601,611

Examiner

Manuel Mendez

Applicant(s)

KULESSA, SIGMUND

Art Unit

3763

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interview with Applicant dated September 13, 2006.
2. ☒ The allowed claim(s) is/are 1-11 and 13-15.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

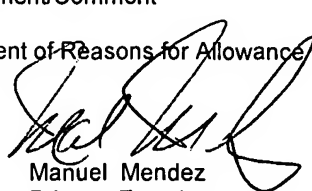
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 09/13/2006.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
Manuel Mendez  
Primary Examiner  
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### **EXAMINER'S AMENDMENT and REASONS FOR ALLOWANCE**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Lisa Adams on September 13, 2006.

The application has been amended as follows:

In claim 1, line 5, delete the word "a" and insert the phrase - - at least one - -; in the same line, after the word "the", insert the word - - at - -; in line 6, before the word "barrier", insert the phrase - - least one - -, in lines 6 and 7, after the word "being", insert the phrase - - coupled to at least one conductor that is effective to deliver an electric current to the at least one barrier to - -; in line 7, delete the word "removable" and insert the phrase - - remove the barrier - -; and in line 7, after the word "to", delete the phrase "each of".

In claim 3, line 2, after the word "of", delete the word "a" and insert the word - - an - -; in line 3, before the word "to", delete the word "stimulus" and insert the phrase - - electric current - -; and in line 4, after the word "carry", delete the word "an" and insert the word - - the - -.

In claim 6, line 1, after the word "the", delete the phrase "stimulus is an electric current, and the".

In claim 8, line 3, after the word "of", delete the phrase "a stimulus" and insert the phrase - - an electric current - -, in lines 3 and 4, after the word

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"through", delete the phrase "a plurality of" and insert the phrase - - of the at least one - -.

In claim 11, line 4, after the word "to", insert the phrase - - send an electric current through at least one conductor to - -; in line 5, after the word "disintegrate", delete the word "a" and insert the phrase - - at least one - -; and in the same line, after the word "from", delete the phrase "a row of" and insert the phrase - - at least one - -.

In claim 13, delete the number "12" and insert the number - - 11 - -.

In claim 14, delete number "12" and insert number - - 11 - -.

In claim 15, line 5, delete the word "selected" and insert the phrase - - at least one of the - -; in lines 6 and 7, after the word "being", insert the phrase - - coupled to an energy source that is adapted to deliver energy to the barrier to - -; in line 7, after word "selectively", delete the word "disintegratable" and insert the phrase - - disintegrate the barrier - -; in the same line, after the word "to", delete the phrase "each of the selected" and insert "the at least one", and in line 8, delete the words "ports" and insert the word - - port - -.

The following is an examiner's statement of reasons for allowance:

The above amendments overcome the pending rejections. Accordingly, all pending claims are allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should


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preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manuel Mendez whose telephone number is 703-272-4977. The examiner can normally be reached on 0730-1800 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Nicholas D. Lucchesi can be reached on 571-272-4977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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